

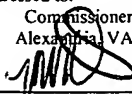
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Dkt. No: 5119-13002

Inventor(s):

Stephen Maldonado
Keith J. StevensonTitle: CARBON
NANOSTRUCTURE-BASED
ELECTROCATALYTIC
ELECTRODES§
§
§
§
§
§
§
§
§
§
§CERTIFICATE OF EXPRESS MAIL
UNDER 37 C.F.R. § 1.10"Express Mail" mailing label number: EL978183782US
DATE OF DEPOSIT: April 10, 2006

I hereby certify that this paper (along with any paper and/or fee referred to as being attached or enclosed) is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to:

Commissioner for Patents
Alexandria, VA 22313-1450
Martin R. SmithTRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED
OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. § 371

INTERNATIONAL APPLICATION NO.: PCT/US2004/033602

INTERNATIONAL FILING DATE: October 12, 2004

PRIORITY DATE CLAIMED: October 10, 2003

U.S. APPLICATION NO. (If known):

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a FIRST submission of items concerning a filing under 35 U.S.C. § 371.
2. ☐ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. § 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. § 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. § 371(b) and PCT Articles 22 and 39(1).
4. ☐ A translation of the International Application into English (35 U.S.C. § 371(c)(2)), including:
a title page; _____ page specification; _____ page(s) of claims (claims -); 1 page abstract.
5. ☐ Drawings
☐ Formal Figure(s) _____ - _____ on 1 sheet(s).
6. ☒ A copy of the International Application as filed (35 U.S.C. § 371(c)(2))
 - ☐ is transmitted herewith (_____ pages).
 - ☐ has been transmitted by the International Bureau.
 - ☐ A copy of Form PCT/IB/308 (1 page) is enclosed.
 - ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).

7. ☒ A copy of the International Publication, Publication No. WO 2005/035841.

8. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. § 371(c)(3))
 - ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - ☐ have been transmitted by the International Bureau.
 - ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - ☐ have not been made and will not be made.

9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. § 371(c)(3)).

10. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
 - ☐ A copy of the Demand for International Preliminary Examination is enclosed.

11. ☒ An oath or declaration of the inventor(s) (35 U.S.C. § 371(c)(4)):
 - ☐ is enclosed (____ pages).
 - ☐ a combined Declaration and Power of Attorney is enclosed (____ pages).
 - ☒ is not enclosed. Applicant requests the Patent and Trademark Office to accept this application and accord a serial number and filing date as of the date this application is deposited with the U.S. Postal Service for Express Mail. Further, Applicant requests that the NOTICE OF MISSING PARTS-FILING DATE GRANTED be sent to the undersigned representative of Applicant.

12. ☒ Applicant hereby claims priority to:
 - ☒ International Application No.: PCT/US04/033602.
 - ☒ U.S. Provisional application No.: 60/510,707.
 - ☒ A copy of Form PCT/IB/304 (1 page) indicating receipt of the priority document by the International Bureau is enclosed.

13. ☐ A translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. § 371(c)(5)).

14. ☒ The entire disclosure of the International Application referred to above is considered to be part of the accompanying application and is hereby incorporated by reference herein.

15. ☐ Assignment Papers.
 - ☐ An assignment document is enclosed for recording (____ pages).
 - ☐ Form PTO-1595 Assignment Recordation Cover Sheet (____ page).

16. ☒ A Preliminary Amendment (6__ pages).

17. ☐ A substitute specification for pages ____ (____ pages).

18. ☐ A strikethrough version of specification and abstract (____ pages).

19. ☐ Power of Attorney
 - ☐ Is enclosed.
 - ☐ a combined Declaration and Power of Attorney is enclosed.

20. ☐ Information Disclosure Statement (IDS), including:
 - ☐ Form PTO-1449
 - ☐ Reference(s) marked according to Form PTO-1449.

21. ☒ Return Receipt Postcard

22. ☒ Small Entity Status
☐ A small entity statement is enclosed.
☒ Small entity status is proper and is requested.
23. ☐ Copy of International Preliminary Examination Report.
24. ☒ The following fees are submitted:

BASIC NATIONAL STAGE FEES				
<input checked="" type="checkbox"/> Basic national fee.....\$300.00				
<input checked="" type="checkbox"/> Examination fee				
<input type="checkbox"/> International preliminary examination fee paid to USPTO and all claims satisfy provisions of PCT Article 33(1)-(4).....\$100.00				
<input checked="" type="checkbox"/> All other situations.....\$200.00				
<input checked="" type="checkbox"/> Search fee				
<input checked="" type="checkbox"/> Search fee (37 CFR 1.445(a)(2)) paid to USPTO as an International Searching Authority.....\$100.00				
<input type="checkbox"/> International Search Report prepared and provided to the Office.....\$400.00				
<input type="checkbox"/> All other situations.....\$500.00				
ENTER APPROPRIATE BASIC NATIONAL FEE AMOUNT (as selected above):				\$600.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	22 - 20 =	2	x \$50.00 =	100.00
Independent claims	4 - 3 =	1	x \$200.00 =	200.00
MULTIPLE DEPENDENT CLAIM(S)			+ \$360.00 =	.00
TOTAL OF ABOVE CALCULATIONS:				\$900.00
\$250.00 fee for every 50 sheets or fraction thereof of the specification and drawings that exceeds 100 sheets (excluding any sequence listing or computer program listing filed in an electronic medium)				.00
Reduction by 50% for Small Entity. A Small Entity Statement must be filed:				450.00
SUBTOTAL:				\$450.00
TOTAL NATIONAL FEE:				\$450.00
Fee for recording the enclosed assignment. The assignment must be accompanied by an appropriate cover sheet. \$40.00 per property:				.00
TOTAL FEES ENCLOSED:				\$450.00

- ☒ A fee authorization in the amount of \$450.00 is enclosed.
- ☐ Please charge my Deposit Account No. 50-1505/ in the amount of to cover the above fees.
- ☒ The Commissioner is hereby authorized to charge any other fees which may be required or credit any overpayment to Meyertons, Hood, Kivlin, Kowert & Goetzl, P.C., Deposit Account No. 50-1505/511-13002/EBM.

10/575737

IAP15 Rec'd PCT/PTO 10 APR 2006

Please address all correspondence in connection with this application to:

Customer No. 35690
Eric B. Meyertons
Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C.
P.O. Box 398
Austin, Texas 78767
Phone: (512) 853-8800 Fax: (512) 853-8801

Signature



Name

Mark R. DeLuca

Registration No.

44,649

Date

4/10/06

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: Unknown
Filed: Herewith
Inventor(s):
Maldonado et al.

Title: CARBON
NANOSTRUCTURE-
BASED
ELECTROCATALYTIC
ELECTRODES

§ Examiner: Unknown
§ Art Unit: Unknown
§ Atty. Dkt. No: 5119-13002/EBM
§
§
§
§
§
§
§
§
§
§

CERTIFICATE OF EXPRESS MAIL
UNDER 37 C.F.R. §1.10

"Express Mail" mailing label number: EL978183782US
DATE OF DEPOSIT: April 10, 2006

I hereby certify that this paper or fee is being deposited with the
United States Postal Service "Express Mail Post Office to
Addressee" service under 37 C.F.R. §1.10 on the date indicated
above and is addressed to:

Commissioner for Patents
Alexandria, VA 22313-1450


Martin R. Smith

FEE AUTHORIZATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The Commissioner is hereby authorized to charge the following fees to Meyertons, Hood, Kivlin,
Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5119-13002/EBM

\$450.00 – National Patent Application Filing Fees

Total Amount: \$450.00

Attorney Docket No.: 5119-13002

Maldonado et al.

The Commissioner is also authorized to charge any extension fee or other fees which may be necessary to the same account number.

Respectfully submitted,



Mark R. DeLuca
Reg. No. 44,649

Patent Agent for Applicant

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.
P.O. BOX 398
AUSTIN, TX 78767-0398
(512) 853-8800 (voice)
(512) 853-8801 (facsimile)

Date: 4/10/06